IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 351 OF 2006

IN

APPEAL NO. 59 OF 2006

IN

NOTICE OF MOTION NO. 1837 OF 2003

IN

SUIT NO. 1906 OF 2003

Indiacom Limited ... Appellants
(Orig. Plaintiff)

Versus

Tata Teleservices Ltd. & Ors. ... Respondents
(Orig. Defendants)

Mr. H.W. Kane with R. Kadam for appellants in support of the Notice of Motion.

Mr. D.D.Madon, Senior Counsel with D'Souza i/b. M/s. Mulla & Mulla & Craigie Blunt & Caroe for Respondents Nos. 1, 2 & 4 to show cause.

Khooshnum R. Daviervala i/b. Mulla & Mulla & Craigie Blunt & Caroe for Respondent No.3 to show cause.

CORAM: D.K.DESHMUKH &

J.H.BHATIA,JJ.

DATE: 30th October,2007.

P.C.

1. Heard learned Counsel on both the sides.

2. Admittedly, since the filing of the suit, there is no temporary injunction granted. Therefore, it will not be appropriate to grant temporary injunctioon for the first time now. The Motion is, therefore, disposed of. However, in the facts and circumstances of the case, the hearing of Appeal is expedited.

(D.K.DESHMUKH,J.)

(J.H.BHATIA,J.)